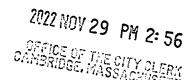


CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100



(Print Name)

358 BROADWAY CAMBRIDGE MMOZIS9

BZA Application Form

BZA Number: 203056

_				
Gen	oral	Info	rma	tion

The undersigned	hereby petitions the Board of Zoning Ap	peal for the following:
Special Permit: _	Variance: X	Appeal:
PETITIONER: BI	oadway REprise LLC	
PETITIONER'S A	DDRESS: 358 Broadway #1, Cambridge	e, MA 02319
LOCATION OF P	ROPERTY: 358 BROADWAY, Unit 2,	Cambridge, MA
TYPE OF OCCUI	PANCY: commercial	ZONING DISTRICT: Business A-1 Zone
REASON FOR PI	ETITION:	
/Change in Use/C	Occupancy/	
DESCRIPTION	OF PETITIONER'S PROPOSAL:	
We would like to dapartment.	convert an existing 2nd flr commercial of	fice condo in a mixed use building to a residential
SECTIONS OF Z	ONING ORDINANCE CITED:	
Article: 5.000 Article: 5.000 Article: 8.000 Article: 10.000	Section: 5.26 (Conversion). Section: 5.31 (Table of Dimensional Resection: 8.22.3 (Non-Conforming Structure).	
	Original Signature(s):	Michael Wiff Javes Mesines (Petitioner (s) / Owner) May 1964 / Wiff James Massing

617-755-3581

mikewittdesign@yahoo.com

Address: Tel. No.

E-Mail Address:

Date: 11 79 27



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ROARD OF ZONING APPEAU

33) Massachuseits Avenus, Cabbridge MA 62)39

0000-049-000

BEEA Annication/Jorus

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	 ridge, WA 02319	56 Bruadway #1, Carob	4.7.6 23 25.31	PETTHOWER S.
		Hau Yangaoshisa		
ICT: Business A-1 Zone				1999 - 10 STYT
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		16 (Conversion). 11 (Table of Dimonsione 12.3 (Non-Conferenty S 30 (Variance).	Section: 6.3 Section: 6.3	Article; 5,000 Article; 5,000 Article; 5,000 Article; 10,000
		Original Signearre(s):		•
(Þadilonar (s) / Owner)				
Succession of the second	<u>Same dia dia dia dia dia dia dia dia dia dia</u>			
(PrincName)				
inoa.code	17-735-7581 misewilidejor@y	Address: Tel. No E-Nell address:		

BZA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OWNER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals.

Broadway REprise LLC I/We
Address: 358 Broadway Cambridge MA 02139
State that I/We own the property located at358 Broadway unit #2,
which is the subject of this zoning application.
The record title of this property is in the name of Broadway REprise LLC
*Pursuant to a deed of duly recorded in the date $\frac{12/6/2017}{}$, Middlesex South County Registry of Deeds at Book $\frac{70346}{}$, Page $\frac{212}{}$; or
Middlesex Registry District of Land Court, Certificate No
BookPage
SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT* *Written evidence of Agent's standing to represent petitioner may be requested.
Commonwealth of Massachusetts, County of 10860
The above-name <u>Hickack Sock WITT</u> personally appeared before me,
this 10 of NOV., 2022, and made oath that the above statement is true.
My commission expires ANGUST 12,2027 (Notary Seal). If ownership is not shown in recorded deed, e.g. if by court order, recent deed, or inheritance, please include documentation.
• If ownership is not shown in recorded deed, e.g. if by court order, recent deed, or inheritance, please include documentation.
(APPACHMENT R - DAGE 3)

BZA Application Form

SUPPORTING STATEMENT FOR A VARIANCE

EACH OF THE FOLLOWING REQUIREMENTS FOR A VARIANCE MUST BE ESTABLISHED AND SET FORTH IN COMPLETE DETAIL BY THE APPLICANT IN ACCORDANCE WITH MGL 40A, SECTION 10.

A) A literal enforcement of the provisions of this Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant for the following reasons:

A literal enforcement would be a financial hardship. There is very little demand for commercial office space like ours. Since the pandemic we have had to decrease our rent, which doesn't cover our mortgage payments, real estate taxes, and other building expenses.

The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located for the following reasons:

The odd shape of the lot, along with the building sitting on the narrowest part, impedes our ability to meet zoning. A further constraint is that the building abuts the neighbor at 356 with no space in between the two structures.

C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

1) Desirable relief may be granted without substantial detriment to the public good for the following reasons:

Changing our second floor unit to an apartment is in keeping with the predominately residential nature of the area. The changes are consistent with the neighborhood which is mostly multi-family homes. Making this unit residential will increase housing in the area.

2) Desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:

We are not making any physical changes that would impact how the exterior of building has existed for most of its hundred years, or it's relationship to the immediate surroundings and the greater neighborhood. Granting this variance would have little to no effect on the daily lives of our neighbors.

*If you have any questions as to whether you can establish all of the applicable legal requirements, you should consult with an attorney.

BZA Application Form

DIMENSIONAL INFORMATION

Applicant: Broadway REprise LLC

Present Use/Occupancy: commercial

Location:

358 BROADWAY, Unit 2, Cambridge, MA

Zone: Business A-1 Zone

Phone:

617-755-3581

Requested Use/Occupancy: residential

		Existing Conditions	Requested Conditions	Ordinance Requirements	
TOTAL GROSS FLOOR AREA:		4867	4867	2797	(max.)
LOT AREA:		3729	3729	5000	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: ²		1.3	1.3	.75	
LOT AREA OF EACH DWELLING UNIT		932.25	932.25	1500	
SIZE OF LOT:	WIDTH	61.05	61.05	50	
	DEPTH	120	120	124.5	
SETBACKS IN FEET:	FRONT	0	0	24.75	
	REAR	0	 0	24.75	
	LEFT SIDE	0	0	19.8	
	RIGHT SIDE	0	0	19.8	
SIZE OF BUILDING:	HEIGHT	39.5	39.5	35	
	WIDTH	75	 75	25.5	
	LENGTH	18.333	18.333	38.133	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		0	0	30%	
NO. OF DWELLING UNITS:		4	4	2	
NO. OF PARKING SPACES:		8	8	0	
NO. OF LOADING AREAS:		0	0	0	
DISTANCE TO NEAREST BLDG. ON SAME LOT		15.75	15.75	8.22	

Describe where applicable, other occupancies on the same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g; wood frame, concrete, brick, steel, etc.:

The other building is a 4 bay cinderblock garage measuring, 20.1' w x 38.3' l x 9.8' ht. There would be no changes to it.

- 1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
- 2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
- 3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.

ACCOUNTED TO THE PERSON OF THE PERSON

PERSONAL PROPERTY AND ALL OFFI

o. Dozelych REpose 1.1.0 stransland.

Wall-grinding Chill NEWCOSE RES nucliscosi.

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COSSUPPLY katemark Existing Constitutes ganiii oo emanariyas ADOLE SELECTED JATO 2797 (D)(\$(11.) TARL 4867 9475 3700 (raid.) 65020 30 00° TO LOT LESA RUO äΥ. HOAR FO STURIED. 0054 29,930 **52**.169 03 31.00 77450 TUCTE 27.25 24.75 0 CAS POT GERE THORR 0 -ame) 6.08 ે હત THE SHE HIGW 36 25.5 68.1.00 14.533 MY DWBJ 6.033 BLEECH HE CHIAFÉ $\mathcal{N}(\mathcal{G}_{\mathbf{i}})$ 0 IO. CIRCARENT 2.20**1.1**2229 RZZZAS BOLOZ B DMO-C: O 0 VASSARIA (LA PARA

Concribe where applicable, other compandes on are same lat, the are of adjacent buildings on some let, and you of construction proposad, ala, waad frame, dallarem, brick, since sich

The officer building is a 4-bay circularated parage measuring, 190-11 w. x 28.31 (x 6.5-b). There would be no charged to it.

- IL SEE CAMBRIDGE FONING OPDINANCE ARTICLE 5.000, SECTION 5.30 (CISTI) OF DIMIERSIONAL RUE J.A.COMSY.
 - S, ROTAL GRÖSS FLOOR AREA (MOLUDING BASEARIET POTIM HECOIT AND ATEC AREAS CREATER THAN 5% ONGED BY LOT AREA
 - MORANA BIVAH LIARE CIIA SYAVE BIC SO SYAVALAYI CALEA ARBAR BOLLON TOM LIARE SOLOS BEAD II. Jan bu Kalaraya

REFERENCES MIDDLESEX COUNTY REGISTRY OF DEEDS DEED BOOK 14967 PAGE 140 (LOCUS DEED LOT B) DEED BOOK 25436 PAGE 445 (LOCUS DEED LOT Á) PLAN 370 OF 1982 (LOCUS PLAN)

LAND COURT PLAN 680B-1

LAND COURT CASE No. 680B

LEGEND

WSF

CENTERLINE EM ELECTRIC METER GAS GATE OVERHANG SMH SEWER MANHOLE WATER GATE

WOOD STOCKADE FENCE

Middlesex Registry of Deeds, Southern District Cembridge, Massachusetts Plan No. 495 (1052) of 20 04 Rec'd 5-14 20 04 at 9 h3 2m Am Doc No. Rec'd, Bk Attest

BROADWAY TERRACE

(PRIVATE - 15' WIDE) N 25°09'48" E 53.00' 67.00' 19.4 19.2 14.4' EUA-A EUA-B 166± S.F. 169± S.F. N/F CHARLES SHIVELY 13042/440 PA-A406± S.F. CONCRETE BLOCK GARAGE 13.8' N/F FLOYD & ALICE TREEMAN 7481/92 EUA-D EUA-C LANDSCAPED 232± S.F. 231± S.F. 12' WIDE PASSAGEWAY EASEMENT DIRT N 25'09'48" E BULKHEAD 67.00 CONCRETE S 24°36'24" W 44.00' LOT A & B 3,729± S.F. 0.2' OV BUILDING & OF 12"± PARTY WALL 'ON LINE \ 31.0' \ \ \ \ O 39.40' S 26'4<u>3'3</u>4" W S 26'43'34" W LOT C N/F SUZANNE WATZMAN #326 18228/588 TIMOTHY S. & SUSAN CORCORAN 400 2634/572

I HEREBY CERTIFY THAT:

- 1) THE PROPERTY LINES SHOWN ARE THE LINES OF EXISTING OWNERSHIPS AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS AND WAYS ALREADY ESTABLISHED, AND I FURTHER CERTIFY THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN CHAPTER 380, ACTS OF 1966.
- 2) THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.
- 3) THIS PLAN FULLY AND ACCURATELY DEPICTS THE LOCATION AND DIMENSIONS OF THE BUILDING AT #358 BROADWAY, CAMBRIDGE, MA, AS-BUILT AND FULLY LISTS THE UNITS CONTAINED THERE-IN.

8/12/2004 CLIFFORD E. ROBER, PLS NO. 33189

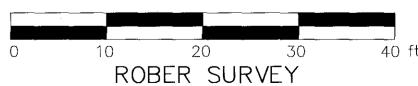
DATE

358 BROADWAY CONDOMINIUM

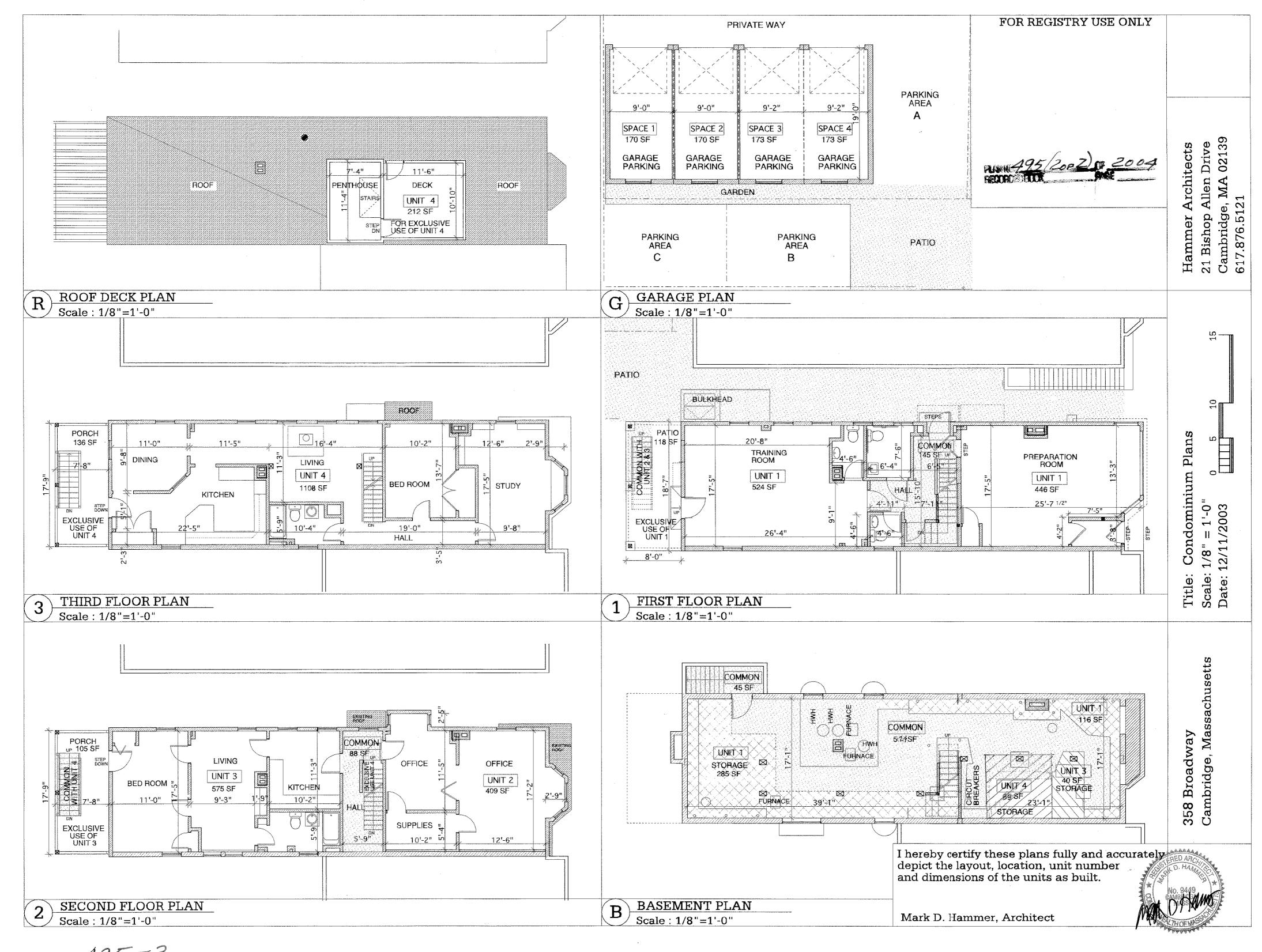
MASTER DEED PLAN

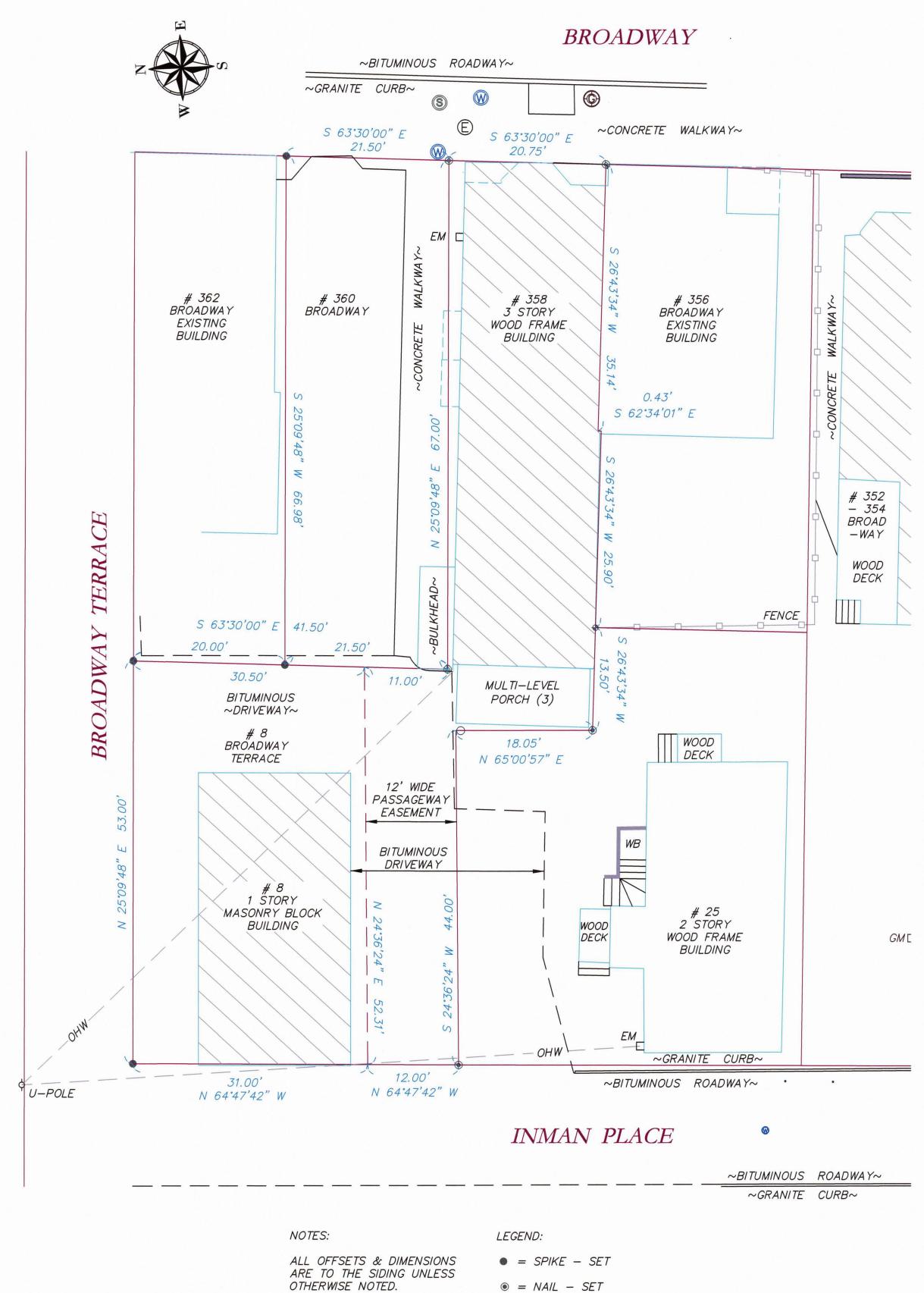
CAMBRIDGE, MA (MIDDLESEX COUNTY)

SCALE: 1" = 10' DATE: AUGUST 12, 2003



1072A MASSACHUSETTS AVENUE ARLINGTON, MA 02476 (781) 648-5533 1570MD1.DWG



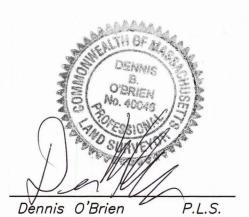


GM=GAS METER EM=ELECTRIC METER OHW=OVERHEAD WIRES WB=WALKOUT BASEMENT

♦ = PAINT MARK @ FENCE

○ = IRON PIPE - FOUND 0.64' TO LOT CORNER

 \odot = DRILL HOLE - SET



PLAN SHOWING EXISTING CONDITIONS 358 BROADWAY CAMBRIDGE, MA MIDDLESEX COUNTY

31 HAYWARD STREET UNIT 3-G. FRANKLIN. MA 02038 508-541-0048

REVISED: DRAWN BY: CHECKED BY SCALE: DATE: 10/9/2018 1:10 W.M.N.



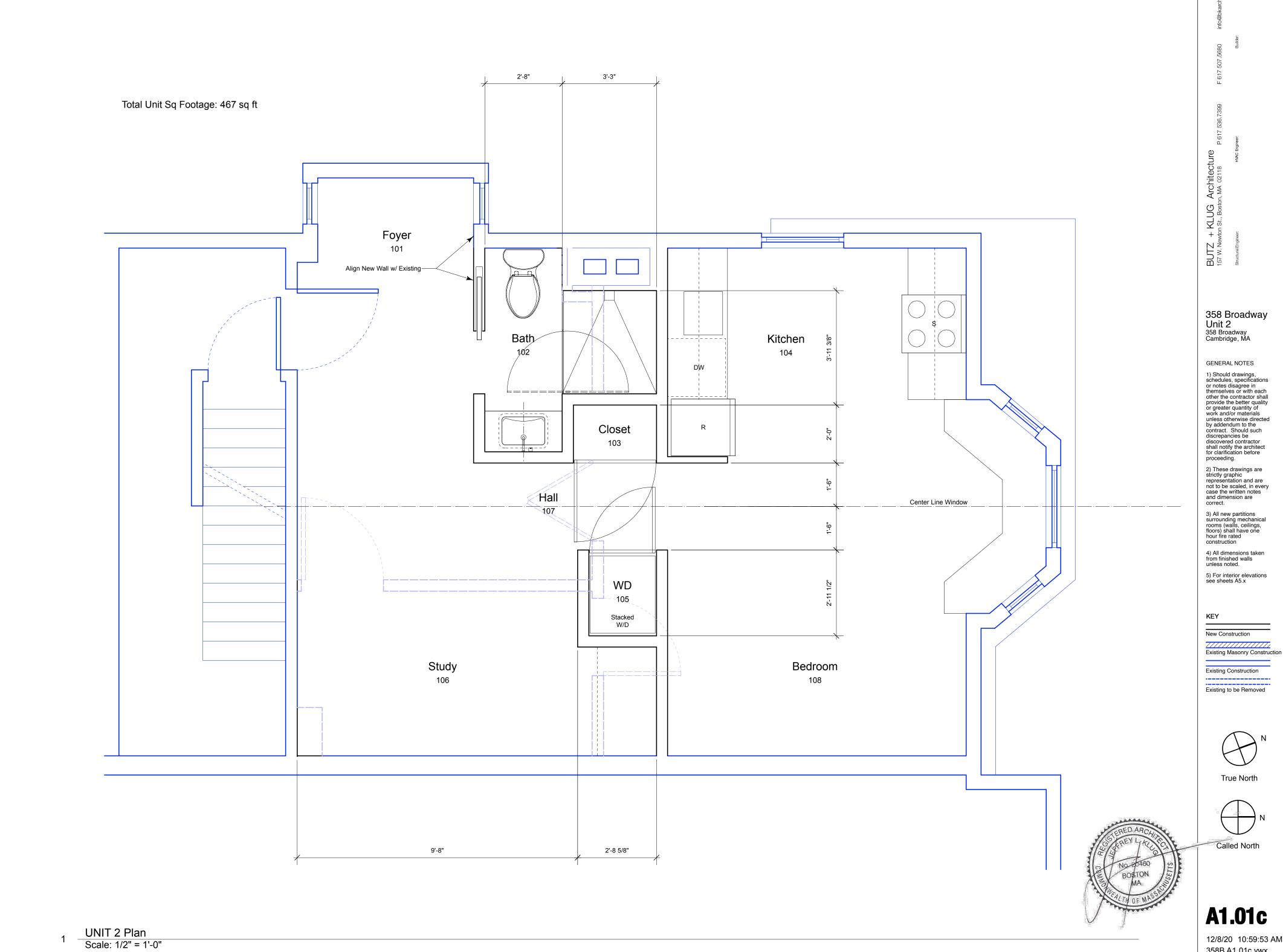


back from Inman Place



side





358 Broadway

GENERAL NOTES

1) Should drawings, schedules, specifications or notes disagree in themselves or with each other the contractor shall provide the better quality or greater quantity of work and/or materials unless otherwise directed by addendum to the contract. Should such discrepancies be discovered contractor shall notify the architect for clarification before proceeding.

2) These drawings are strictly graphic representation and are not to be scaled, in every case the written notes and dimension are correct.

All new partitions surrounding mechanical rooms (walls, ceilings, floors) shall have one hour fire rated construction

All dimensions taken from finished walls unless noted.

5) For interior elevations see sheets A5.x





A1.01c

12/8/20 10:59:53 AM 358B A1.01c.vwx

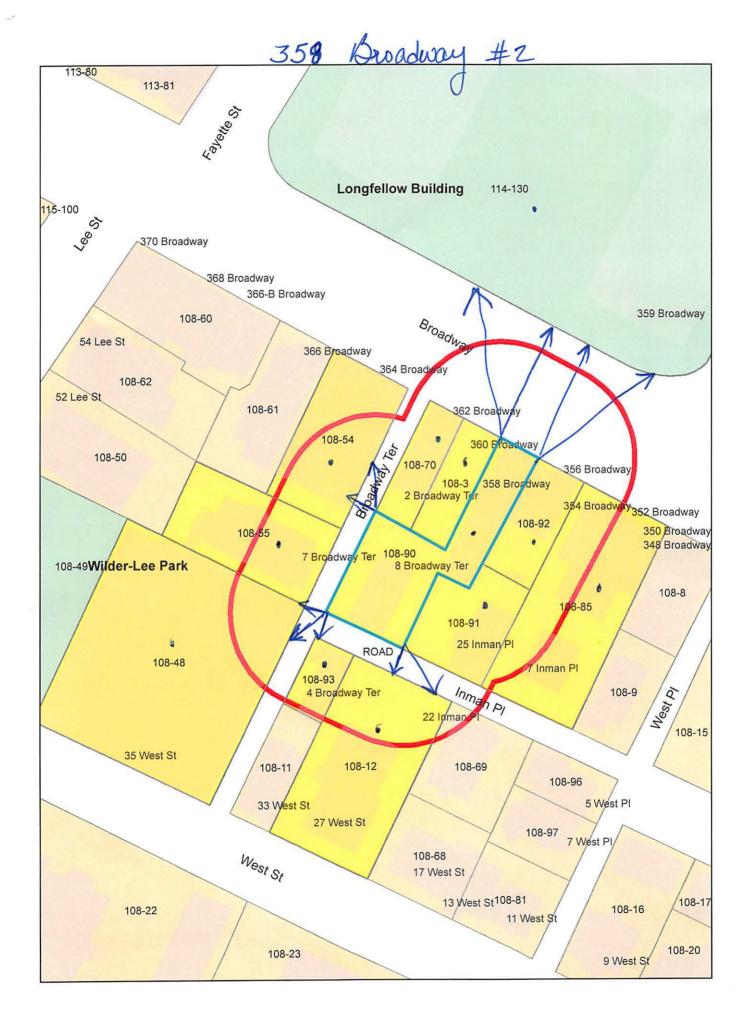


Mid Cambridge Neighborhood Conservation **District Commission**

831 Massachusetts Avenue, Cambridge, Massachusetts 02139 Telephone: 617 349 4683, TTV: 617 349 6112

Telephone: 61/349 4683 11Y: 61/349 6112
E-mail: histncds@cambridgema.gov
www.cambridgema.gov/historic/districtsHistoricProperties/midcambridgencd
Tony Hsiao, <i>Chair</i> , Lestra Litchfield, <i>Vice Chair</i> Monika Pauli, Charles Redmon, <i>Members</i>
Margaret McMahon, Alternate
waigatet weistallon, Auernate
CERTIFICATE OF NON-APPLICABILITY
Property: 358 Broadway, unit 2
Applicant: Mike Witt
The Mid Cambridge Neighborhood Conservation District Commission hereby certifies, pursuant to Chapter 2.78, Article III, Section 2.78.140-270 of the Code of the City of Cambridge and the order establishing said district that the work described below does not involve any activity requiring issuance of a Certificate of Appropriateness or Hardship:
Interior renovation. Replace non original windows and trim.
Permit #203056
All improvements shall be carried out as shown on the plans and specifications submitted by the applicant, except as modified above. Approved plans and specifications are incorporated by reference into this certificate.
This certificate is granted upon the condition that the work authorized herein is commenced within six months after the date of issuance. If the work authorized by this certificate is not commenced within six months after the date of issuance or if such work is suspended in significant part for a period of one year after the time the work is commenced, such certificate shall expire and be of no further effect; provided that, for cause, one or more extensions of time for periods not exceeding six months each may be allowed in writing by the Chair.
Case Number: MC 6616 Date of Certificate: November 28, 2022
Attest: A true and correct copy of decision filed with the offices of the City Clerk and the Cambridge
Historical Commission on November 28, 2022.
By <u>Tony Hsiao/aac</u> , Chair

Twenty days have elapsed since the filing of this decision. No appeal has been filed
Appeal has been filed Date City Clerk:



358 Broadway # 3

108-48 BIORICHLAND LLC 2600 HILLTOP DR RICHMOND, CA 94806

NAGAFUJI, PAMELA & JERRY NAGAFUJI 354 BROADWAY, #2 CAMBRIDGE, MA 02139

108-85

108-85

108-90 BROADWAY REPRISE LLC, C/O MICHAEL WITT & JAMES MESSINEO 358 BROADWAY CAMBRIDGE, MA 02139

108-48 KAHN, BARBARA B., DR. 35 WEST ST., #3 CAMBRIDGE, MA 02139 108-48 DONHEISER, MADELILNE 35 WEST ST #4 CAMBRIDGE, MA 02139-1739 108-54 7 BROADWAY TERRACE LLC, 305 HARVARD ST CAMBRIDGE, MA 02139

108-93 NUGENT, CHRISTINE JULIA & JEAN CAVANAUGH 4 BROADWAY TERR CAMBRIDGE, MA 02139 114-130 CAMBRIDGE CITY OF SCHOOL DEPT 159 THORNDIKE ST CAMBRIDGE, MA 02141 114-130 CITY OF CAMBRIDGE C/O YI-AN HUANG CITY MANAGER

TRAJMAN, DAN S. & DORIT TRAJMAN TIMNA TRAJMAN MOLBERGER 7 INMAN PLACE, #7 CAMBRIDGE, MA 02139 PAUL, JONATHAN D. & JULIANNE YAZBEK 352 BROADWAY CAMBRIDGE, MA 02139 114-130 CITY OF CAMBRIDGE C/O NANCY GLOWA CITY SOLICITOR

108-3

108-48

108-48 WORTMAN, DENNIS H. 35 WEST ST., UNIT #9 CAMBRIDGE, MA 02139

108-85

108-92 CORCORAN, SUSAN 356 BROADWAY CAMBRIDGE, MA 02139

360 BROADWAY LLC, 358 BROADWAY CAMBRIDGE, MA 02139

108-90 TZELNIC, MORI & PERCY TZELNIC 15 WALDEN ST CAMBRIDGE, MA 02138 108-48 GOODARZY, ASAD & ESAM GOODARZY 35 WEST ST., #8 CAMBRIDGE, MA 02139

SLAVITT, DAVID R. TRUSTEE OF DAVID R.
SLAVITT 2002 REV TRUST
35 WEST ST. UNIT#5
CAMBRIDGE MA 02139
108-12

108-12 KAEMMER, ALTHEA S. & J. DAVID KAEMMER 27 WEST STUNIT #8 CAMBRIDGE, MA 02139 108-12 QUERQUES, JOHN 27 WEST ST. UNIT#2 CAMBRIDGE, MA 02139

SYMONDS, CHRISTIAN 27 WEST ST., #1 CAMBRIDGE, MA 02139

108-12 ZHAO, XIAOHUI & YAN LI Z & C PROPERTY MANAGEMENT LLC 22A VERNON ST TAUNTON, MA 02780 108-12 SURI, NAVTEJ SINGH & HARVINDER KAUR SURI 27 WEST ST.#5 CAMBRIDGE, MA 02139 108-12 SURI, TAVNEET K. 27 WEST STREET, UNIT #3 CAMBRIDGE, MA 02139

O'DONNELL, PATRICIO & MARINA UMASCHI BERS 7 BROADWAY TER., #1 CAMBRIDGE, MA 02139

BONVENTRE, JOSEPH V., PHD KRISTINA BRENN-CANNON-BONVENTRE, PHD., TRS 101 BOSOTN POST RD WAYLAND, MA 01778 108-12 HAN RITA 27 WEST ST UNIT 4 CAMBRIDGE, MA 02139

108-91 WATZMAN, SUZANNE, TRUSTEE 25 INMAN PL CAMBRIDGE, MA 02139 DRISCOLL, THOMAS YAMIL 35 WEST ST UNIT 1 CAMBRIDGE, MA 02139

108-48

108-70 BAKER POND LLC 17 HIGHLAND ST CAMBRIDGE, MA 02138 358 Broadway #2

108-12 HUMPHREY JONATHAN A PAVLOVIC ANA 27 WEST - UNIT 6 CAMBRIDGE, MA 02139

108-55 DEANDRADE MARK 7 BROADWAY TER - UNIT 2 CAMBRIDGE, MA 02139 108-48
MCNEILL, TIMOTHY J. & JAMES S. WILBUR
35 WEST ST #7
CAMBRIDGE, MA 02139

108-55 MINIKEL ERIC V & SONIA M VALLABH TRS MINIKEL VALLABH 2021 TR 7 BROADWAY TER - APT 3 CAMBRIDGE, MA 02139 108-85 BONSEY JOSIAH & MAIA GOKHALE 354 BROADWAY - UNIT 1 CAMBRIDGE, MA 02141 To whom it may concern,

I am Mor Tzeinic and I own the top floor apartment at 358 Broadway. I have known Mike and Jim since they purchased in 2017. They are great neighbors usually taking care of most of issues that may arise at the building. I give my wholehearted support to their project to improve the property and create a new residence on the second floor.

Sincerely,

Mori Tzelnic



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

831 Mass Avenue, Cambridge, MA. (617) 349-6100

BZA

POSTING NOTICE - PICK UP SHEET

The undersigned picked up the notice board for the Board of Zoning Appeals Hearing.

Name: Mochaf Gerint) Date: 12-29-27
Address: 358 Broadway #2.
Case No. BZA - 203056
Hearing Date: 1/12/23
Thank you,

Bza Members

Be tosted by 12/29/22